

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

COLTON JAMES ROOD,

Plaintiff,

v.

ISAAC LOCKWOOD, et al.,

Defendants.

No. 2:20-cv-0271 KJM AC P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Defendants have filed a motion for summary judgment. ECF No. 63. However, it does not appear that they contemporaneously served plaintiff with a Rand Notice, as required by this court. See ECF No. 25 at 4, ¶ 11 (citing Woods v. Carey, 684 F.3d 934, 935 (9th Cir. 2012); Rand v. Rowland, 154 F.3d 952, 957 (9th Cir. 1998)).

Accordingly, IT IS HEREBY ORDERED that:

1. Within twenty-four hours of receiving this order, defendants shall serve plaintiff with a Rand Notice, as required by the December 16, 2020 order. Failure to do so will result in a recommendation that the motion for summary judgment be denied; and


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2. Plaintiff shall have twenty-one days from the service of the Rand Notice to file his response to the motion for summary judgment.

DATED: November 22, 2022

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE